

IN THE UNITED STATES BANKRUPTCY COURT FOR
THE DISTRICT OF PUERTO RICO

IN THE MATTER OF:

BEATRIZ ARRIAGA FRANCIS

CASE NO. 05-13071 SEK

Chapter 13

XXX-XX-6894

FILED & ENTERED ON 05/04/2011

Debtor

DISCHARGE OF DEBTOR AFTER COMPLETION OF CHAPTER 13 PLAN

It appearing that the debtor is entitled to a discharge.

IT IS ORDERED:

The debtor is granted a discharge under section 1328(a) of title 11, United States Code, (the Bankruptcy Code).

San Juan, Puerto Rico, this 4 day of May, 2011.

BY THE COURT

Sara E. De Jesus Kellogg
U.S. Bankruptcy Judge

U.S. Bankruptcy Judge

cc: All creditors

SEE SECOND PAGE OF THIS ORDER FOR IMPORTANT INFORMATION.

1 EXPLANATION OF BANKRUPTCY DISCHARGE IN A CHAPTER 13 CASE

2 This court order grants a discharge to the person named as the debtor
3 after the debtor has completed all payments under the chapter 13 plan. It is
not a dismissal of the case.

4 Collection of Discharged Debts Prohibited

5 The discharge prohibits any attempt to collect from the debtor a debt
6 that has been discharged. For example, a creditor is not permitted to contact
7 a debtor by mail, phone, or otherwise, to file or continue a lawsuit, to
attach wages or other property, or to take any other action to collect a
discharged debt from the debtor. *[In a case involving community property:]*
[There are also special rules that protect certain *community property* owned by
8 the debtor's spouse, even if that spouse did not file a bankruptcy case.] A
9 creditor who violates this order can be required to pay any damages and
attorney's fees to the debtor.

10 However, a creditor may have the right to enforce a valid lien, such as
11 a mortgage or security interest, against the debtor's property after the
bankruptcy, if that lien was not avoided or eliminated in the bankruptcy case.
Also, a debtor may voluntary pay any debt that has been discharged.

12 Debts That are Discharged

13 The chapter 13 discharge order eliminates a debtor's legal obligation to pay a
14 debt that is discharged. Most, but not all, types of debts are discharges if
15 the debt is provided for by the chapter 13 plan or is disallowed by the court
pursuant to section 502 of the Bankruptcy Code.

16 Debts that are Not Discharged.

17 Some of the common types of debts which are not discharged in a chapter 13
bankruptcy case are:

18

- a. Debts that are in the nature of alimony, maintenance, or support;
- b. Debts for most student loans;
- c. Debts for most fines, penalties, forfeitures, or criminal restitution
obligations;
- d. Debts for personal injuries or death caused by the debtor's operation
of a motor vehicle while intoxicated;
- e. Debts provided for under section 1322(b) (5) of the Bankruptcy Code and
on which the last payment is due after the date on which the final
payment under the plan was due; and
- f. Debts for certain consumer purchases made after the bankruptcy case was
filed if prior approval by the trustee of the debtor's incurring the
debt was practicable but was not obtained.

25 This information is only a general summary of the bankruptcy discharge.
26 There are exceptions to these general rules. Because the law is
complicated, you may want to consult an attorney to determine the exact
27 effect of the discharge in this case.

28

29

30

31

32

33